

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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| DOUGLAS MARLAND, COSETTE | : | |
| RINAB, and ALEC CHAMBERS, | : | Civil Action No. 2:20-cv-04597 WB |
| | : | |
| Plaintiffs, | : | |
| | : | |
| -against- | : | |
| | : | |
| DONALD J. TRUMP, in his official | : | |
| capacity as President of the United States; | : | |
| WILBUR L. ROSS, JR., in his official | : | |
| capacity as Secretary of Commerce; and | : | |
| U.S. DEPARTMENT OF COMMERCE, | : | |
| | : | |
| Defendants. | : | |
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**DECLARATION OF AMBIKA K. DORAN IN SUPPORT OF PLAINTIFFS' MOTION
FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

I, Ambika K. Doran, declare:

1. I am a partner in the law firm Davis Wright Tremaine LLP, counsel for Plaintiffs Douglas Marland, Cosette Rinab, and Alec Chambers. I make this declaration from my personal knowledge and review of the files and records in this matter.

2. On September 18, 2020, I exchanged emails with Daniel Schwei, Special Counsel, United States Department of Justice, Civil Division, Federal Programs Branch. I informed Mr. Schwei that Plaintiffs intended to file a motion for temporary relief seeking to enjoin enforcement of the Executive Order and implementing regulations no later than September 20, 2020. I also told Mr. Schwei that I would send a copy of the papers to him and his colleagues as soon as they were filed.

3. Attached as **Exhibit A** is a true and correct copy of the Commerce Department's September 17, 2020 identification of "prohibited transactions" for publication in the Federal Register, entitled, "Identification of Prohibited Transactions to Implement Executive Order 13942 and Address the Threat Posed by TikTok and the National Emergency with Respect to the Information and Communications Technology and Services Supply Chain," that my office downloaded from <https://s3.amazonaws.com/public-inspection.federalregister.gov/2020-20920.pdf>

4. Attached as **Exhibit B** is a true and correct copy of the Commerce Department's September 18, 2020 Press Release, entitled "Commerce Department Prohibits WeChat and TikTok Transactions to Protect the National Security of the United States," that my office downloaded from <https://www.commerce.gov/news/press-releases/2020/09/commerce-department-prohibits-wechat-and-tiktok-transactions-protect>.

5. Attached as **Exhibit C** is a true and correct copy of an article authored by Dillon Thompson, entitled “Internet users stunned by ‘life-changing’ tooth brushing video: ‘This is the first I’m hearing of this?’” published by Yahoo! Sports on May 4, 2020, that my office downloaded from <https://sports.yahoo.com/2020-05-04-tooth-brushing-hack-dental-hygiene-tiktok-video-24166985.html>.

6. Attached as **Exhibit D** is a true and correct copy of an article authored by Rachel E. Greenspan, entitled “Math teachers are getting millions of views on TikTok by sharing SAT tips and data visualizations” published by Business Insider on April 2, 2020, that my office downloaded from <https://www.businessinsider.com/math-tiktok-accounts-viral-sat-personal-finance-tips-2020-4>.

7. Attached as **Exhibit E** is a true and correct copy of an article authored by Stephanie Osmanski, entitled “Bored This Summer? These 30 DIY Summer Projects Are Trending on TikTok” published by Parade on July 27, 2020, that my office downloaded from <https://parade.com/1065963/stephanieosmanski/diy-summer-projects-tiktok/>.

8. Attached as **Exhibit F** is a true and correct copy of screenshots of excerpts from a September 16, 2020 video post by Barack Obama on the Twitter platform, that my office downloaded from <https://twitter.com/BarackObama/status/1306246499882369026>.

9. Attached as **Exhibit G** is a true and correct copy of an article authored by Alex Sherman, entitled “TikTok reveals detailed user numbers for the first time” published by CNBC on August 24, 2020, that my office downloaded from <https://www.cnbc.com/2020/08/24/tiktok-reveals-us-global-user-growth-numbers-for-first-time.html>.

10. Attached as **Exhibit H** is a true and correct copy of an article authored by Olivia Gavoyannis, entitled “TikTok is transforming the influence rulebook – we spoke to the viral

video-makes about mastering its elusive algorithm and why they prefer it to Instagram” published on Business Insider on July 30, 2020, that my office downloaded from <https://www.businessinsider.com/tiktok-influencers-brands-master-viral-algorithm-2020-7>.

11. Attached as **Exhibit I** is a true and correct copy of an article authored by Kaitlyn Tiffany, entitled “How Quickly Can a Girl Go Viral on TikTok?” published by The Atlantic on September 16, 2020, that my office downloaded from <https://www.theatlantic.com/technology/archive/2020/09/tiktok-teens-fandom-mooptopia/616371/>.

12. Attached as **Exhibit J** is a true and correct copy of an article authored by Sushmita Pathak, entitled “‘TikTok Changed My Life’: India’s Ban On Chinese App Leaves Video Makers Stunned” published by NPR on July 16, 2020, that my office downloaded from <https://www.npr.org/2020/07/16/890382893/tiktok-changed-my-life-india-s-ban-on-chinese-app-leavesvideo-makers-stunned>.

13. Attached as **Exhibit K** is a true and correct copy of an article authored by Cecilia Kang and David E. Sanger, entitled “Huawei Is a Target as Trump Moves to Ban Foreign Telecom Gear” published by The New York Times on May 15, 2019, that my office downloaded from <https://www.nytimes.com/2019/05/15/business/huawei-ban-trump.html>.

I declare under penalty of perjury that the foregoing is true and correct.

Signed at Mercer Island, Washington, this 18th day of September, 2020.



Ambika K. Doran